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March 16, 2017

GRANTED

MAR 23 2017

Competition Policy Division  
Wireline Competition Bureau

*For sixty (60) days*

DOCKET FILE COPY ORIGINAL

Via ECFS

Marlene H. Dortch, Secretary  
Federal Communications Commission  
Wireline Competition Bureau  
445 12<sup>th</sup> Street SW  
Washington, DC 20554

RE: Request for Special Temporary Authority  
on behalf of Benchmark Communications, LLC ("Benchmark")

Dear Secretary Dortch:

Please find attached a copy of the Request For Special Temporary Authority ("STA") filed on behalf of Benchmark Communications, LLC seeking temporary authority to allow Benchmark to operate while the pending Domestic Section 214 Transfer of Control application between Benchmark (a subsidiary of Hunt Telecommunications, LLC) and Crescent Affiliates, Inc. is completed. Benchmark respectfully requests 60 days temporary authority while the Domestic 214 Transfer of Control application has been reviewed.

Should you have any questions, please feel free to contact me.

Sincerely,

*Leon Nowalsky, Esq.*

Leon Nowalsky, Esq. *lnw*  
Counsel for Applicants

LLN/rph  
Attachment

Attachment 1

Application for Special Temporary Authority  
To Operate Pursuant to Wireline Competition Bureau Authority

REASONS FOR REQUEST FOR SPECIAL TEMPORARY AUTHORITY

This is a request for Special Temporary Authority ("STA"), submitted pursuant to Section 63.03 and 63.04 of the Commission's rules, seeking temporary authority to allow Benchmark Communications, LLC ("Benchmark") to operate while the pending Domestic Section 214 Transfer of Control application between Benchmark Communications, LLC ("Benchmark") and Crescent Affiliates, Inc. ("Crescent") is completed. Benchmark respectfully requests 60 days temporary authority while the Domestic 214 Application is reviewed.

Benchmark, the holder of the Section 214 domestic authority, seeks Commission approval of a transaction which resulted in a change in 50% of the ownership of Benchmark by virtue of a Membership Interest purchase which did not receive prior FCC approval. Benchmark is a Louisiana limited liability company headquartered in Metairie, Louisiana, and holds blanket Section 214 authority to provide domestic telecommunications services, and operates as a provider of cable television, telephone and internet services to multi-dwelling units in the states of Louisiana, Mississippi, Alabama and Florida. Benchmark is a subsidiary of Hunt Telecommunications, LLC, a Louisiana limited liability company.

In January 2014, Hunt authorized the transfer of fifty percent (50%) of its membership interests of Benchmark to Crescent Affiliates, Inc. ("Crescent") via a Membership Interest Purchase Agreement. Crescent is an investor and does not possess any telecommunications licenses.

Benchmark was unaware of the requirements to obtain FCC approval for this transaction, and wishes to make full disclosure of all substantive and non-substantive changes which have occurred involving this transaction.

A Grant of Special Temporary Authority Will Serve the Public Interest. This STA has been filed at the direction of the Commission staff to accompany the filing of the Transfer of Control of a portion of the Membership Interests in Benchmark from Hunt Telecommunications, LLC to Crescent Affiliates, LLC. Grant of the STA is needed to allow Benchmark to continue to operate its telecommunications network pending Commission action on the Section 214 Transfer Application. Benchmark's Domestic Section 214 license authorizes Benchmark to provide interstate resale service within the United States. Benchmark is an active domestic carrier, presently providing telephone, cable and Internet services to multi-dwelling units in the states of Louisiana, Mississippi, Alabama and Florida. As such, the public interest will be served by granting this STA request to allow uninterrupted provision of Benchmark's services to its customers. In further support of this request, the Applicants respectfully request that the Commission consider that Benchmark has acted in good faith to rectify its failure to file for approval of the transfer of control described herein, admitting its failure to comply with

Commission rules, and seeking approval of the Application.

Steps Taken to Ensure Future Compliance with FCC Rules. Benchmark has taken steps to ensure future compliance with Commission rules. To ensure future compliance with FCC rules, Benchmark will consult with Communications counsel on a regular basis as necessary to remain advised and up-to-date on Commission regulatory requirements affecting its operations. In addition, Benchmark will maintain a current copy of Part 63 of the Commission's rules at its headquarters in Metairie, Louisiana, and has engaged Compliance Solutions, Inc. to oversee compliance with FCC rules and regulations and coordination with communications counsel.

Requested Duration for Special Temporary Authority. Benchmark requests 60 days temporary authority while the Section 214 Transfer of Control Application is pending. All of the ownership interests in Benchmark are held by United States citizens.

Acknowledgment. Benchmark hereby acknowledges that the grant of this STA request will not prejudice any action the Commission may take on the underlying application seeking Commission approval of the Section 214 transfer of control application. The parties further acknowledge that this STA can be revoked by the Commission upon its own motion without a hearing.

STATE OF LOUISIANA

PARISH OF JEFFERSON

### VERIFICATION

I, Mark Guidry, am the President of Crescent Affiliates, Inc. and am authorized to make this verification on its behalf. The statements made in the foregoing Application are true of my own knowledge, except as to those matters which are therein stated on information and belief, and as to those matters I believe them to be true.

By: 

Name: Mark Guidry

Title: President

Sworn to and subscribed before me, Notary Public, in and for the State and Parish named above, this 15<sup>th</sup> day of MARCH, 2017

  
Notary Public

My commission expires: AT DEATH

**LEON L. NOWALSKY**  
Notary Public, State of Louisiana  
My Commission is issued for life.  
Notary Number : 4339

STATE OF LOUISIANA

PARISH OF JEFFERSON

**VERIFICATION**

I, Robert Leithman, am a Managing Member of Hunt Telecommunications, LLC and Benchmark Communications, LLC and am authorized to make this verification on its behalf. The statements made in the foregoing Application are true of my own knowledge, except as to those matters which are therein stated on information and belief, and as to those matters I believe them to be true.

By: 

Name: Robert Leithman

Title: Managing Member

Sworn to and subscribed before me, Notary Public, in and for the State and Parish named above, this 15<sup>th</sup> day of MARCH, 2017

  
Notary Public

My commission expires: AT DEATH

**LEON L. NOWALSKY**  
Notary Public, State of Louisiana  
My Commission is issued for life.  
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